

Message Text

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ACTION EB-07

INFO OCT-01 EUR-12 IO-13 ISO-00 AGRE-00 CEA-01 CIAE-00

COME-00 DODE-00 FRB-03 H-01 INR-07 INT-05 L-03

LAB-04 NSAE-00 NSC-05 PA-01 EPG-02 AID-05 SS-15

STR-04 ITC-01 TRSE-00 USIA-06 PRS-01 SP-02

FEAE-00 OMB-01 /100 W

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R 211219Z JUN 77

FM AMEMBASSY BRUSSELS

TO SECSTATE WASHDC 0380

INFO ALL EC CAPITALS

AMEMBASSY PARIS

USMISSION GENEVA

AMCONSUL BREMEN

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USEEC

PASS AGRICULTURE ELECTRONICALLY

GENEVA ALSO FOR USMTN

PARIS ALSO FOR USOECD

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TAGS, EAGR, EEC

SUBJ: EFFECT OF EUA ADOPTION ON EC TOBACCO TARIFFS

REFS: (A) 76 EC BRUSSELS 1600 (B) BREMEN A-005 (C) 76 EC A-335

1. SUMMARY: A COMMISSION PROPOSAL TO ADOPT A NEW EUROPEAN UNIT OF ACCOUNT (EUA) FOR BUDGETARY PURPOSES AND FOR APPLICATION TO THE CXT AS BEEN ON THE TABLE SINCE OCTOBER 1976. WHILE MANY DIFFICULTIES STILL REMAIN TO BE RESOLVED, THE NEW EUA IS EXPECTED TO BE PUT INTO EFFECT JANUARY 1, 1978. ADOPTION OF THE NEW RATE WOULD HAVE A

MAJOR EFFECT INTER-ALIA ON THE TARIFFS APPLIED TO TOBACCO

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IMPORTS

INTO THE EC AND TO CERTAIN OTHER AGRICULTURAL AND INDUSTRIAL PRODUCTS OF LESS IMPORTANCE IN US TRADE. SIGNIFICANT REDUCTIONS OR INCREASES WILL OCCUR IN EC TARIFF RATES APPLIED IN THE DIFFERENT MEMBER STATES (IN TERMS OF NATIONAL CURRENCIES). ON THE WHOLE, IT APPEARS THAT EUA ADOPTION WOULD ADVERSELY AFFECT US TOBACCO EXPORTS. WE RECOMMEND THAT THE US STUDY THE IMPACT OF EUA ADOPTION ON TOBACCO

TARIFFS AND THAT WE CONSIDER BRINGING THIS IMPACT TO THE ATTENTION OF EC OFFICIALS WITH A VIEW TOWARDS INCREASING THE PRESSURE FOR AN MTN CONCESSION ON TOBACCO IN THE CONTEXT OF THE US REQUEST LIST AND/OR PRESENTLY SECURING A SPECIAL MODIFICATION OF EC RULES RE THE APPLICATION OF THE NEW EUA TO THE TOBACCO TARIFF. END SUMMARY.

2. A COMMISSION PROPOSAL FOR A COUNCIL REGULATION PROVIDING FOR THE USE OF A NEW UNIT OF ACCOUNT FOR BUDGETARY MANAGEMENT AND FOR THE CONVERSION OF AMOUNTS EXPRESSED IN UNITS OF ACCOUNT IN THE CXT S SUBMITTED IN OCTOBER 1976. THE PROPOSED REGULATION WOULD REPLACE THE UNIT OF ACCOUNT NOW USED IN THE BUDGET AND THE CXT, AND WHICH IS BASED ON IMF GOLD-PARITY RATES, WITH THE SO-CALLED BASKET UNIT OF ACCOUNT (EUA), WHICH IS BASED ON THE WEIGHTED AVERAGE OF ALL MEMBER STATE CURRENCIES (REF. C). WITH REGARD TO THE CXT, IT IS PROPOSED THAT THE EUA RATES BE ALTERED JANUARY 1 AND JULY 1 OF EACH YEAR, BASED ON RATES CALCULATED THE LAST DAY OF THE PREVIOUS OCTOBER AND APRIL, RESPECTIVELY. THE NEW EUA WOULD FIRST ENTER INTO EFFECT JANUARY 1, 1978. OUR CONTACTS IN THE COMMISSION TELL US THAT THERE ARE STILL IMPORTANT OBSTACLES TO THE APPROVAL OF THE PROPOSED REGULATION. FIRST, THE DANES HAVE MADE THEIR APPROVAL CONTINGENT UPON FURTHER PROGRESS TOWARDS THE ELIMINATION OF MONETARY COMPENSATORY AMOUNTS. SECONDLY, THERE IS NOT YET AGREEMENT (IN PARTICULAR, BETWEEN THE UK AND FRG) ON HOW THE TRANSITIONAL LIMITS ON BUDGETARY CONTRIBUTIONS BY THE NEW MEMBER STATES WILL BE INTERPRETED IN A NEW EUA. NEVERTHELESS, OUR SOURCES STILL FEEL THAT THE EUA WILL PROBABLY BE ADOPTED AND GO INTO EFFECT AS SCHEDULED. LIMITED OFFICIAL USE

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3. THE CHANGE-OVER THE EUA WOULD NOT AFFECT THE VAST MAJORITY OF ITEMS IN THE CXT WHICH ARE SUBJECT ONLY TO AD-VALOREM TARIFFS. HOWEVER, THERE ARE A SMALL NUMBER OF PRODUCTS WITH VALUE BREAKPOINTS, SPECIFIC TARIFF RATES OR SPECIFIC MAXIMUM OR MINIMUM TARIFFS DESCRIBED IN TERMS OF UNITS OF ACCOUNT (E.G., TOBACCO, SOME VEGETABLES, FRUITS AND BERRIES, SUGAR PREPARATIONS, FRUIT JUICES, WDES, SPIRITS, CERAMIC PRODUCTS, TABLEWARE, BRICKS AND TAPE RECORDINGS). ALSO IN THE CASE OF CERTAIN CHEESES AND WINES, THE REPRESENTATIVE, OR GREEN, RATE HAS BEEN USED TO CONVERT CXT BREAKPOINTS, SPECIFIC TARIFFS, ETC. TO NATIONAL CURRENCIES; CONTINUATION OF THIS PRACTICE WILL APPARENTLY CONTINUE EVEN AFTER THE ADOPTION OF THE EUA. WE HAVE CONFINED OUR ANALYSIS OF THE EFFECTS OF EUA ADOPTION TO TOBACCO WHICH IS THE PRINCIPAL US PRODUCT INVOLVED.

4. THE FACT THAT THE COMMUNITY HAS CLUNG TO THE OLD GOLD-PARITY RATES IN ADMINISTERING THE CXT, RESULTS, IN CERTAIN CASES, IN SUBSTANTIAL DIFFERENCES IN THE REAL OR DOLLAR VALUE OF THE DUTIES IMPOSED IN THE VARIOUS MEMBER STATES. WHERE THE TARIFF ITSELF (OR A MINIMUM OR MAXIMUM) IS FIXED IN TERMS OF UNITS OF ACCOUNT, THIS CONVERSION METHOD RESULTS IN MUCH HIGHER DUTIES BEING APPLIED IN

THE STRONG CURRENCY COUNTRIES SUCH AS GERMANY THAN IN WEAK CURRENCY COUNTRIES (E.G. ITALY, THE U.K.). FOR EXAMPLE, THE 45 U.A./100 KG MAXIMUM DUTY APPLICABLE TO TOBACCO IMPORTS ENTERING UNDER 24.01 AS I WOULD CONVERT TO \$69.50/100 (164.7 DM/100) IN GERMANY, BUT ONLY \$32.50/100 KG (OR L 18.90/100KG) IN THE UK. WHERE A TARIFF BREAKPOINT IS FIXED IN TERMS OF U.A., THE USE OF GOLD-PARITIES CAN RESULT IN THE SAME (\$) VALUE IMPORT BEING CLASSIFIED IN THE HIGHER VALUE CATEGORY (E.G., 24.01A) IN THE WEAK CURRENCY COUNTRIES AND THE LOWER VALUE CATEGORY (E.G., 24.01 B) IN THE STRONG CURRENCY COUNTRIES.

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INFO OCT-01 EUR-12 IO-13 ISO-00 FEA-01 AGRE-00 CEA-01
CIAE-00 COME-00 DODE-00 FRB-03 H-01 INR-07 INT-05
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INFO ALL EC CAPITALS
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CORRECTED COPY (TEXT--PARA 8.C.)

5. IN GENERAL, THE CHANGE OVER TO THE EUA WILL RESULT IN AN INCREASE IN SPECIFIC DUTIES IN THE WEAK CURRENCY COUNTRIES AND A DECREASE IN THESE DUTIES IN THE STRONG CURRENCY COUNTRIES. HOWEVER, ANALYSIS OF THE EFFECTS OF EUA ADOPTION BECOMES MORE COMPLICATED WHERE, AS IN THE CASE OF TOBACCO, BOTH SPECIFIC TARIFFS AND BREAKPOINTS ARE INVOLVED. THE EFFECT OF THE ADOPTION OF THE EUA ON TOBACCO IMPORTS INTO GERMANY AS EXAMINED IN REF. B, WHICH CONCLUDED THAT THE ACTUAL TARIFF APPLIED TO US TOBACCO EXPORTS TO GERMANY WOULD PROBABLY REMAIN ABOUT THE SAME. IT WAS FELT, HOWEVER, THAT TARIFFS APPLIED TO COMPETING THIRD COUNTRY TOBACCOS WOULD BE SUBSTANTIALLY REDUCED.

6. THE TABLE BELOW SHOWS THE EFFECT OF A SWITCH FROM GOLD-PARITY TO EUA CONVERSION RATES ON TOBACCO TARIFFS IN THE VARIOUS MEMBER STATES. IN MAKING THESE CALCULATIONS WE HAVE USED THE EUA CONVERSION RATES AND THE CURRENCY SPOT RATES IN EFFECT ON MAY 10, 1976. THESE CALCULATIONS SHOULD BE REGARDED AS ONLY APPROXIMATE. THE LIMITED OFFICIAL USE

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ACTUAL CHANGES RESULTING FROM A SWITCH TO THE EUA WILL DEPEND ON THE EUA CONVERSION RATES PUT INTO EFFECT OVER A GIVEN PERIOD, AND ON THE SPOT RATES IN EFFECT AT THE TIME OF IMPORTATION. NEVERTHELESS, THE FOLLOWING CALCULATIONS ARE A REASONABLE INDICATION OF THE TARIFF CHANGES THAT ONE WOULD EXPECT TO RESULT FROM ADOPTION OF THE EUA SYSTEM.

PERCENTAGE CHANGES IN EC TOBACCO TARIFFS RESULTING FROM EUA ADOPTION
(DECREASES IN PARENTHESES)

VIRGINIA AND BURLEY (ELIGIBLE FOR CTX 24.01 A I TREATMENT)

IMPORT

VALUE UK ITALY GERM. BELG. NETH. DEN. FRANCE

1.00	21	21	(27)	(19)	(23)	(10)	1
1.20	15	17	(27)	(19)	(23)	(10)	1
1.40	15	17	(27)	(19)	(23)	(10)	1
1.60	52	56	(3)	8	2	-	-
1.80	56	60	(1)	(9)	5	(9)	1
2.00	56	60	(18)	(18)	(18)	(10)	1
1.00	13	13	(27)	(19)	(23)	(10)	1
1.20	(6)	(6)	(27)	(19)	(23)	(10)	1
1.40	(20)	(20)	(27)	(19)	(23)	(10)	1
1.60	5	7	4	16	10	-	-
1.80	18	21	17	-	23	-	-
2.00	31	34	-	-	19	-	-

7. TO ILLUSTRATE THE MAGNITUDE OF THE CHANGES INVOLVED, OUR CALCULATION OF THE DOLLAR VALUES OF TARIFFS IN THE UK AND GERMANY PER 100 KG. OF PRODUCT ARE SHOWN BELOW FOR VIRGINIA AND BURLEY TOBACCO VARIETIES.

UNITED KINGDOM			GERMANY		
---CONVERSION SYSTEMS---			---CONVERSION SYSTEMS		

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VALUE/LB.	GOLD-PARITY		EUA	GOLD-PARITY		EUA
1.00	30.87	37.27	50.70	37.08		
1.20	32.50	37.27	50.95	37.08		

1.40	32.50	37.27	50.95	37.08
1.60	32.50	49.38	50.95	49.38
1.80	32.50	50.82	50.95	50.38
2.00	32.50	50.82	61.73	50.58

DESPITE THE CONSIDERABLE DIFFERENCES IN EXISTING "REAL" TARIFF RATES APPLIED IN THE VARIOUS MEMBER STATES, A COMMISSION OFFICIAL IN THE TOBACCO DIVISION (WHO HAS INVESTIGATED THE SITUATION) TELLS US THAT HE HAS FOUND NO EVIDENCE OF TRADE DISTORTION (E.G., TRANSHIPMENT OF TOBACCO THROUGH ITALY OR THE UK TO THE OTHER MEMBER STATES) RESULTING FROM THIS DISCREPANCY. HE COULD OFFER NO EXPLANATION FOR THE FAILURE OF TRADERS TO TAKE ADVANTAGE OF THIS SITUATION.

8. OBVIOUSLY, THE EFFECT OF ADOPTION OF THE EUA WILL DEPEND VERY MUCH ON THE PRICE OF THE IMPORTED TOBACCO. IN 1975, THE AVERAGE UNIT VALUE (TOTAL VALUE DIVIDED BY TOTAL QUANTITY) OF TOBACCO IMPORTED FROM THE US RANGED FROM \$1.30 TO \$1.60/LB. IN THE MOST IMPORTANT EC MARKETS. WE DO NOT HAVE DETAILED DATA ON IMPORT VALUES SUBSEQUENT TO THAT YEAR. HOWEVER, WE SUSPECT THAT THE AVERAGE VALUE HAS CONSIDERABLY INCREASED AND THAT THE BULK OF EC IMPORTS OF US TOBACCO FALLS WITHIN A RANGE OF \$1.60 TO \$1.80/LB. USING THIS HYPOTHESIS, AND BASED ON THE ABOVE TABLE, THE EFFECT OF EUA ADOPTION IN THE VARIOUS MEMBER STATES CAN BE EVALUATED AS FOLLOWS:

A. UK, IRELAND AND ITALY: DUTIES WOULD INCREASE FOR VIRTUALLY ALL CATEGORIES OF TOBACCO. FOR VIRGINIA AND BURLEY TOBACCOS PRICED \$1.60/LB. OR HIGHER, INCREASES OF JUST OVER 50 PERCENT WOULD BE INCURRED. INCREASES FOR CHEAPER TOBACCO IMPORTS WOULD BE MUCH LOWER BECAUSE THESE IMPORTS, WHICH CURRENTLY FALL UNDER CXT 24.01 A I, WOULD DROP INTO CXT 24.01 B. SIMILARLY, TARIFF RATES ON OTHER TOBACCO VARIETIES PRICED AT \$1.20 AND \$1.40 PER POUND WOULD LIMITED OFFICIAL USE

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ACTUALLY DECLINE AS A RESULT OF RECLASSIFICATION IN CXT 24.01 B.

B. GERMANY; DECREASES IN TARIFFS WOULD OCCUR FOR MOST CATEGORIES OF TOBACCO. FOR THE LOWER PRICED TOBACCOS, THESE DECREASES WOULD BE QUITE SUBSTANTIAL (ABOUT 27 PERCENT). HOWEVER, FOR VIRGINIA AND BURLEY TOBACCOS PRICED AT \$1.60 OR 1.80/LB., THE DECREASES WOULD BE MARGINAL BECAUSE THESE IMPORTS WOULD MOVE FROM CXT 24.01 B TO CXT 24.01 A I. FOR OTHER TOBACCO VARIETIES IN THIS PRICE RANGE, TARIFFS WOULD ACTUALLY INCREASE AS A RESULT OF RECLASSIFICATION IN CXT .01 A II.

C. BENELUX; THE PATTERN OF TARIFF CHANGES WOULD BE QUITE SIMILAR AS THAT FOR GERMANY. THE REDUCTIONS IN DUTY ARE NOT SO GREAT FOR THE LOWER PRICED TOBACCO IMPORTS. HOWEVER, TARIFF INCREASES OCCUR WITH RESPECT TO IMPORTS OF ALL TOBACCO VARIETIES PRICED AS \$1.60/LB. AND \$1.80/LB. (NETHERLANDS ONLY).

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INFO OCT-01 EUR-12 IO-13 ISO-00 FEA-01 AGRE-00 CEA-01
CIAE-00 COME-00 DODE-00 FRB-03 H-01 INR-07 INT-05
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C O R R E C T E D C O P Y - (SUB PARAS D. AND E. ADDED AND FIRST
PART PARA 9)

D. DENMARK; TARIFF DECREASES OF 8 TO 10 PERCENT OCCUR FOR MOST
CATEGORIES; HOWEVER, FOR SEVERAL CATEGORIES, IN PARTICULAR IMPORTS
FALLING UNDER 24.01 A II, TARIFFS REMAIN THE SAME.

E. FRANCE; THE EUA RATE IS NOT GREATLY DIFFERENT FROM THE GOLD-
PARITY RATE CURRENTLY USED FOR CONVERSION PURPOSES. CONSEQUENTLY,
THE CHANGES IN DUTY ARE NEGLIGEABLE.

9. CONCLUSIONS; IT WOULD APPEAR THAT, GIVEN THE CURRENT CONJUNCTURE
OF MARKET PRICES AND EXCHANGE RATES, THE EC USE OF GOLD-PARITY
RATES IN ADMINISTERING THE CXT IS, ON THE WHOLE, FAVORABLE TO US
TOBACCO TRADE. CONVERSELY, THE OVERALL EFFECT OF EUA ADOPTION COULD
BE DETRIMENTAL TO US TOBACCO EXPORTS. VERY LARGE INCREASES IN THE
TARIFFS APPLICABLE TO US EXPORTS TO THE UK, IRELAND AND ITALY WILL
CERTAINLY OCCUR. IN FY 1976, THESE COUNTRIES ACCOUNTED FOR ABOUT 45
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PERCENT OF OUR TOTAL TOBACCO EXPORTS TO THE EC. IN ADDITION, TARIFF INCREASES ON TOBACCO IMPORTS FROM OTHER COUNTRIES ARE LIKELY TO BE MUCH SMALLER THAN THOSE AFFECTING THE US (BECAUSE THESE IMPORTS GENERALLY FALL IN A MUCH LOWER PRICE RANGE). WITH REGARD TO GERMANY AND THE BENELUX COUNTRIES, THE SITUATION IS LESS CLEAR. HOWEVER, IT APPEARS THAT MUCH OF THE US TRADE WILL BENEFIT FROM ONLY SMALL TARIFF DECREASES, OR EVEN SUFFER MODERATE INCREASES IN TARIFFS, WHILE OUR LOWER PRICED COMPETITORS WILL BENEFIT FROM SUBSTANTIAL REDUCTIONS IN THE TARIFFS.

10. RECOMMENDATIONS; WE DO NOT FEEL THAT THE U.S. SHOULD OBJECT TO THE COMMISSION'S PROPOSAL FOR ADOPTION OF A NEW EUA PER SE. ESSENTIALLY, THIS PROPOSAL IS A REASONABLE ATTEMPT TO RATIONALIZE EC PROCEDURES AND TO RESTORE A TRULY "COMMON" EXTERNAL TARIFF. THERE IS NO EVIDENCE OF ANY INTENT TO INFLUENCE TRADE. NONETHELESS, WE RECOMMEND THAT THE ADVERSE EFFECTS OF THE PROPOSED CHANGE IN EC RULES ON US TRADE BE BROUGHT TO THE ATTENTION OF THE COMMISSION. SUCH REPRESENTATION SHOULD AIM AT ONE OR BOTH OF THE FOLLOWING GOALS:

A) SECURING A SPECIAL MODIFICATION OF EC RULES GOVERNING APPLICATION OF THE EUA TO TOBACCO TARIFFS--FOR EXAMPLE, POSTPONEMENT OR GRADUAL PHASING IN OF THE NEW UNIT OF ACCOUNT RATES. COMMISSION OFFICIALS INFORM US THAT THEY ARE STILL INVESTIGATING THE EFFECTS OF EUA ADOPTION ON SPECIFIC PRODUCTS. THUS, THERE MAY STILL BE CONSIDERABLE FLEXIBILITY WITH REGARD TO THE ACTUAL RULES PUT INTO EFFECT.

B) INCREASING OUR LEVERAGE IN THE MTN. WE SHOULD USE THIS ISSUE TO FURTHER DEVELOP OUR EQUITY ARGUMENT FOR FURTHER REDUCTIONS IN EC TOBACCO TARIFFS. WE SHOULD POINT OUT THAT CONCESSIONS ON TOBACCO GRANTED IN PREVIOUS TRADE NEGOTIATIONS (INCLUDING 24:6) ARE BEING STEADILY ERODED BY EC POLICIES ALREADY ADOPTED (GSP LIMITED OFFICIAL USE

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PREFERENCE SCHEME) AND PROPOSED (TAX ARMONIZATION, ADOPTION OF EUA). WASHINGTON MAY ALSO WISH TO CONSIDER POSSIBLE TACTICAL USES OF THIS ISSUE IN TN GENEVA DELIBERATIONS AND IN CONTACTS WITH THE MEMBER STATES.

WE ALSO SUGGEST THAT WASHINGTON AGENCIES REVIEW THE SITUATION OF THE PRODUCTS MENTIONED IN PARA 4 IN ORDER TO DETERMINE IF EUA ADOPTION WILL CREATE SIGNIFICANT PROBLEMS FOR OTHER US EXPORTS. HINTON

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Message Attributes

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